

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: LOGICAL VOLUME MOUNT MANAGER.

The specification of which was filed on June 12, 1998 as application serial no. 09/096,772.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 3 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

N such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

No such applications have been filed.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Fogg, David N.	Reg. No. 35,138	Lemaire, Charles A.	Reg. No. 36,198
Arora, Sunet	Reg. No. P-42,267	Forrest, Bradley A.	Reg. No. 30,837	Litman, Mark A.	Reg. No. 26,390
Bernkopf, Paul A.	Reg. No. P-41,615	Hale, Jeffrey D.	Reg. No. 40,012	Lundberg, Steven W.	Reg. No. 30,568
Bianchi, Timothy E.	Reg. No. 39,610	Harris, Robert J.	Reg. No. 37,346	McCrackin, Ann M.	Reg. No. P-42,858
Billion, Richard E.	Reg. No. 32,836	Hofmann, Rudolph P., Jr.	Reg. No. 38,187	Polglaze, Daniel J.	Reg. No. 39,801
Brennan, Thomas F.	Reg. No. 35,075	Holloway, Sheryl S.	Reg. No. 37,850	Sako, Katie E.	Reg. No. 32,628
Brooks, Edward J., III	Reg. No. 40,925	Huebsch, Joseph C.	Reg. No. P-42,673	Schwegman, Micheal L.	Reg. No. 25,816
Clark, Barbara J.	Reg. No. 38,107	Kalis, Janal M.	Reg. No. 37,650	Sieffert, Kent J.	Reg. No. 41,312
Crouse, Daniel D.	Reg. No. 32,022	Klima-Silberg, Catherine I.	Reg. No. 40,052	Slifer, Russell D.	Reg. No. 39,838
Drake, Eduardo E.	Reg. No. 40,594	Kluth, Daniel J.	Reg. No. 32,146	Terry, Kathleen R.	Reg. No. 31,884
Dryja, Michael A.	Reg. No. 39,662	Lacy, Rodney L.	Reg. No. 41,136	Viksnins, Ann S.	Reg. No. 37,748
Embreton, Janet E.	Reg. No. 39,665	Leffert, Thomas W.	Reg. No. 40,697	Woessner, Warren D.	Reg. No. 30,440

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402
Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : Luis Felipe Cabrera

Citizenship: United States of America

Residence: **Bellevue, WA**

Post Office Address: 2009 Killarney Way SE
Bellevue, WA 98004

Signature: Luis Felipe Cabrera

Luis Felipe Cabrera

Date:

7/17/98

Full Name of joint inventor number 2 : Norbert P. Kusters

Citizenship: Canada

Residence: **Woodinville, WA**

Post Office Address: 19310 NE 129th Way
Woodinville, WA 98072

Signature: Norbert P. Kusters

Norbert P. Kusters

Date:

7/16/98

Full Name of joint inventor number 3 : Peter W. Wieland

Citizenship: United States of America

Residence: **Bellevue, WA**

Post Office Address: 15444 SE 21st Place
Bellevue, WA 98007

Signature: Peter W. Wieland

Peter W. Wieland

Date:

7/20/98

Full Name of joint inventor number 4 : Robert D. Rinne

Citizenship: United States of America

Residence: **Seattle, WA**

Post Office Address: 2648 Cascadia Avenue South
Seattle, WA 98144

Signature: Robert D. Rinne

Robert D. Rinne

Date:

7/16/98

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

S/N 09/096,772

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cabrera et al. Examiner: Lao, Sue
Serial No.: 09/096,772 Group Art Unit: 2151
Filed: June 12, 1998 Docket No.: MS113604.1/
40062.132US01

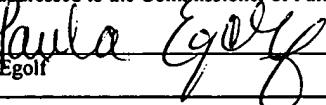
Title: LOGICAL VOLUME MOUNT MANAGER

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV168788147US

Date of Deposit: March 7, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By: 
Paula Egolf

ASSOCIATE POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Please recognize David D. Wier, Registration No. 48,229, as an associate attorney in the above-identified application, with full power to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Respectfully submitted,

Dated: March 7, 2003




Homer L. Knearl, Reg. No. 21,197
Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
303.357.1633

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luis Cabrera et al. Examiner:
Serial No.: 09/096,772 Group Art Unit: 2751
Filed: June 12, 1998 Docket No.: MS113604.1/40062.132US01
Title: LOGICAL VOLUME MOUNT MANAGER

POWER OF ATTORNEY And CORRESPONDENCE ADDRESS

Please revoke all previous powers of attorney relating to the above-referenced patent application except do not revoke power of attorney for Dan Crouse, Reg. No. 32,022 and Katie E. Sako, Reg. No. 32,628.

Furthermore, please add the following persons:

Albrecht, John W.	Reg. No. 40,481	Gregson, Richard	Reg. No. 41,804
Ali, M. Jeffer	Reg. No. 46,359	Gresens, John J.	Reg. No. 33,112
Anderson, Gregg I.	Reg. No. 28,828	Hamer, Samuel A.	Reg. No. 46,754
Batzli, Brian H.	Reg. No. 32,960	Hamre, Curtis B.	Reg. No. 29,165
Beard, John L.	Reg. No. 27,612	Harrison, Kevin C.	Reg. No. 46,759
Berns, John M.	Reg. No. 43,496	Hertzberg, Brett A.	Reg. No. 42,660
Black, Bruce E.	Reg. No. 41,622	Hillson, Randall A.	Reg. No. 31,838
Branch, John W.	Reg. No. 41,633	Holzer, Jr., Richard J.	Reg. No. 42,668
Bremer, Dennis C.	Reg. No. 40,528	Johnston, Scott W.	Reg. No. 39,721
Bruess, Steven C.	Reg. No. 34,130	Kadievitch, Natalie D.	Reg. No. 34,196
Byrne, Linda M.	Reg. No. 32,404	Kettelberger, Denise	Reg. No. 33,924
Campbell, Keith	Reg. No. 46,597	Keys, Jeramie J.	Reg. No. 42,724
Carlson, Alan G.	Reg. No. 25,959	Knearl, Homer L.	Reg. No. 21,197
Caspers, Philip P.	Reg. No. 33,227	Kowalchyk, Alan W.	Reg. No. 31,535
Clifford, John A.	Reg. No. 30,247	Kowalchyk, Katherine M.	Reg. No. 36,848
Daignault, Ronald A.	Reg. No. 25,968	Lacy, Paul E.	Reg. No. 38,946
Daley, Dennis R.	Reg. No. 34,994	Larson, James A.	Reg. No. 40,443
Dalglish, Leslie E.	Reg. No. 40,579	Leon, Andrew J.	Reg. No. 46,869
Daulton, Julie R.	Reg. No. 36,414	Leonard, Christopher J.	Reg. No. 41,940
DeVries Smith, Katherine M.	Reg. No. 42,157	Liepa, Mara E.	Reg. No. 40,066
DiPietro, Mark J.	Reg. No. 28,707	Lindquist, Timothy A.	Reg. No. 40,701
Edell, Robert T.	Reg. No. 20,187	Mayfield, Denise L.	Reg. No. 33,732
Epp Ryan, Sandra	Reg. No. 39,667	McDonald, Daniel W.	Reg. No. 32,044
Glance, Robert J.	Reg. No. 40,620	McIntyre, Jr., William F.	Reg. No. 44,921
Goggin, Matthew J.	Reg. No. 44,125	Mitchem, M. Todd	Reg. No. 40,731
Golla, Charles E.	Reg. No. 26,896	Mueller, Douglas P.	Reg. No. 30,300
Gorman, Alan G.	Reg. No. 38,472	Nichols, A. Shane	Reg. No. 43,836
Gould, John D.	Reg. No. 18,223	Parsons, Nancy J.	Reg. No. 40,364

Pauly, Daniel M.	Reg. No. 40,123	Swenson, Erik G.	Reg. No. 45,147
Phillips, John B.	Reg. No. 37,206	Tellekson, David K.	Reg. No. 32,314
Prendergast, Paul	Reg. No. 46,068	Trembath, Jon R.	Reg. No. 38,344
Pytel, Melissa J.	Reg. No. 41,512	Tunheim, Marcia A	Reg. No. 42,189
Qualey, Terry	Reg. No. 25,148	Underhill, Albert L.	Reg. No. 27,403
Reich, John C.	Reg. No. 37,703	Vandenburgh, J. Derek	Reg. No. 32,179
Reiland, Earl D.	Reg. No. 25,767	Wahl, John R.	Reg. No. 33,044
Roberts, Fred	Reg. No. 34,707	Weaver, Karrie G.	Reg. No. 43,245
Samuels, Lisa A.	Reg. No. 43,080	Welter, Paul A.	Reg. No. 20,890
Schmaltz, David G.	Reg. No. 39,828	Whipps, Brian	Reg. No. 43,261
Schuman, Mark D.	Reg. No. 31,197	Whitaker, John E.	Reg. No. 42,222
Schumann, Michael D.	Reg. No. 30,422	Williams, Douglas J.	Reg. No. 27,054
Scull, Timothy B.	Reg. No. 42,137	Withers, James D.	Reg. No. 40,376
Sebald, Gregory A.	Reg. No. 33,280	Witt, Jonelle	Reg. No. 41,980
Skoog, Mark T.	Reg. No. 40,178	Wu, Tong	Reg. No. 43,361
Spellman, Steven J.	Reg. No. 45,124	Xu, Min S.	Reg. No. 39,536
Stoll-DeBell, Kirstin L.	Reg. No. 43,164	Young, Thomas	Reg. No. 25,796
Sullivan, Timothy	Reg. No. 47,981	Zeuli, Anthony R.	Reg. No. 45,255
Sumner, John P.	Reg. No. 29,114		

as attorneys and/or patent agents with the full power to represent the applicant in connection with
the above-identified application.

Please direct all correspondence to:

Homer L. Knearl
 MERCHANT & GOULD P.C.
 P.O. Box 2903
 Minneapolis, MN 55402-0903
 Telephone (303) 357-1633

Date: 4/14/01

By: 
 Dan Crouse, Reg. No. 32,022
 Microsoft Corporation

*274
88*



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JANUARY 12, 1999

PTAS

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH PA
SHERYL SUE HOLLOWAY
P.O. BOX 2938
MINNEAPOLIS, MN 55402



100834646A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-3723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/11/1998

REEL/FRAME: 9451/0054
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
CABRERA, LUIS FELIPE

DOC DATE: 07/17/1998

ASSIGNOR:
KUSTERS, NORBERT P.

DOC DATE: 07/16/1998

ASSIGNOR:
WIELAND, PETER W.

DOC DATE: 07/20/1998

ASSIGNOR:
RINNE, ROBERT D.

DOC DATE: 07/16/1998

ASSIGNEE:
MICROSOFT CORPORATION
ONE MICROSOFT WAY
REDMOND, WASHINGTON 98052-6399

SERIAL NUMBER: 09096772
PATENT NUMBER:

FILING DATE: 06/12/1998
ISSUE DATE:

Schwegman, Lundberg,
Woessner & Kluth, P.A.

JAN 19 1999

RECEIVED

MAURICE CARTER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT

WHEREAS, we, Luis Felipe Cabrera, Norbert P. Kusters, Peter W. Wieland and Robert D. Rinne (hereinafter referred to as ASSIGNORS), having post office addresses of 2009 Killarney Way SE, Bellevue, WA 98004, 19310 NE 129th Way, Woodinville, WA 98072, 15444 SE 21st Place, Bellevue, WA 98007 and 2648 Cascadia Avenue South, Seattle, WA 98144 respectively, are the joint inventors of an invention entitled "**LOGICAL VOLUME MOUNT MANAGER**", as described and claimed in the specification forming part of an application for United States letters patent filed June 12, 1998 and assigned serial number 09/096,772;

WHEREAS, Microsoft Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at One Microsoft Way, Redmond, WA 98052-6399, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

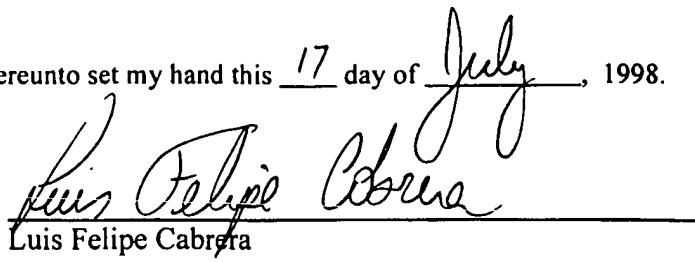
NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

ASSIGNMENT
Applicant:
Invention:

Luis Felipe Cabrera et al.
LOGICAL VOLUME MOUNT MANAGER

Docket No.: 777.12SUS1
Page 2 of 3

IN TESTIMONY WHEREOF, I have hereunto set my hand this 17 day of July, 1998.


Luis Felipe Cabrera

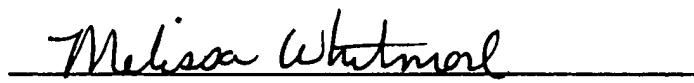
STATE OF WA)

)ss.

COUNTY OF King)

On this 17 day of July, 1998 before me personally appeared Luis Felipe Cabrera to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]


Melissa Whitmore
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this 16 day of July, 1998.


Norbert P. Kusters
Notary Public

STATE OF WA)

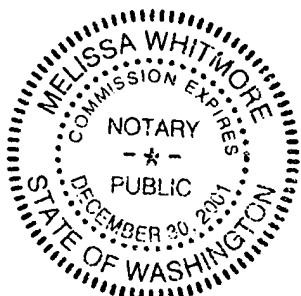
)ss.

COUNTY OF King)

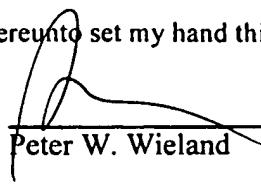
On this 16 day of July, 1998 before me personally appeared Norbert P. Kusters to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]


Melissa Whitmore
Notary Public

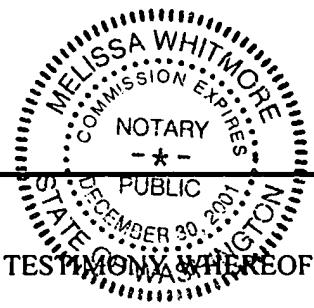
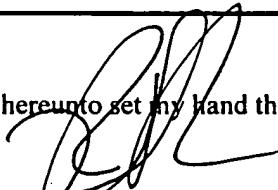


ASSIGNMENT

Applicant:
Invention:Luis Felipe Cabrera et al.
LOGICAL VOLUME MOUNT MANAGERDocket No.: 777.125US1
Page 3 of 3IN TESTIMONY WHEREOF, I have hereunto set my hand this 20 day of July, 1998.
Peter W. WielandSTATE OF WA)
COUNTY OF King)
ss.

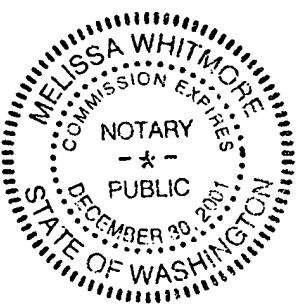
On this 20 day of July, 1998 before me personally appeared Peter W. Wieland to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]

Melissa Whitmore
Notary PublicIN TESTIMONY WHEREOF, I have hereunto set my hand this 16 day of July, 1998.
Robert D. RinneSTATE OF WA)
COUNTY OF King)
ss.

On this 16 day of July, 1998 before me personally appeared Robert D. Rinne to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]

Melissa Whitmore
Notary Public